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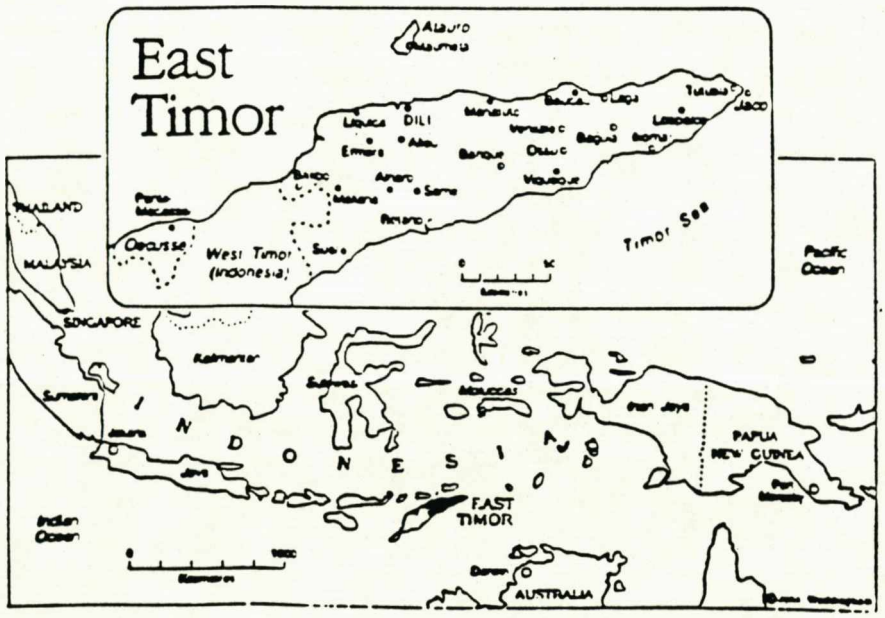
EAST TIMOR

The Santa Cruz Massacre



14 november 1991
AI Index: ASA 21/23/91
Distr: SC/CO

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EAST TIMOR

The Santa Cruz Massacre

Introduction

Between 50 and 100 people were killed and scores were wounded when Indonesian security forces opened fire on a group of mourners at Santa Cruz cemetery in Dili, East Timor on 12 November 1991. Dozens of others, including two foreign journalists, were beaten during the incident. At least 42 people, and possibly many more, have been detained. The victims were among hundreds of people who had gone to the grave of Sebastiao (Gomes) Rangel, a young man killed on 28 October when Indonesian troops entered the parish church of Motael, Dili, where he and about 20 other political activists had been hiding.

Indonesian military authorities have expressed regret at the deaths and have promised to investigate the incident. However, they have attempted to justify the massacre by claiming that security forces had used force when attacked by "rioters". Eyewitnesses have stated categorically that the procession was peaceful and that the soldiers opened fire without warning and without provocation.

Amnesty International is calling for an immediate and impartial investigation into the circumstances of the massacre at Santa Cruz, and for guarantees that those responsible for extrajudicial executions or for the ill-treatment of prisoners will be brought promptly to justice. It believes that investigations must be carried out by an independent body with no link to the security forces allegedly responsible for the massacre. It urges the Indonesian authorities to permit an investigation to be carried out under the auspices of a recognized international body, such as the United Nations Special Rapporteur on Summary or Arbitrary Executions. Amnesty International is also seriously concerned for the safety of those arrested and is urging that those detained solely for their non-violent political activities or beliefs be immediately released and that, following their release, their safety be guaranteed.

The Massacre

The following account is based on information available on 14 November 1991 from a variety of sources, including a number of eyewitnesses and statements by Indonesian government and military authorities.

The massacre took place at the Santa Cruz cemetery in Dili at about 8 am on 12 November. The victims were among several hundred people who had joined a procession to the cemetery following an early morning memorial mass for Sebastiao (Gomes) Rangel, reportedly killed by Indonesian security forces on 28 October at the parish church of Motael. Eyewitnesses said that the procession was peaceful although some members of the group had shouted pro-independence slogans and a flag of the nationalist movement Fretilin had been seen.

Security forces, many of them carrying long sticks or truncheons, were in evidence along the route to the cemetery. However, with the exception of a brief scuffle between soldiers and young men at the tail-end of the procession, no clashes or physical confrontations were reported by non-governmental sources. According to one eyewitness account, a scuffle began near the Hotel Resende when a small number of soldiers ran after members of the procession and beat them with truncheons. The marchers retaliated by throwing stones, and shouting, but no injuries were reported. There were also reports that a separate group had gone to the Hotel Turismo where the UN Special Rapporteur on Torture was staying, but finding the hotel surrounded by security forces, they left after a short demonstration. Eyewitnesses said that throughout the procession itself considerable effort was exerted by organizers to ensure that discipline was maintained.

The shooting took place five to ten minutes after the crowd had reached the cemetery. Some banners had been hung, people talked among themselves and a number shouted pro-independence slogans like "Viva Timor Leste!". At this point, a large contingent of armed soldiers arrived from two different directions. Eyewitnesses said that hundreds of soldiers, carrying M-16 automatic weapons and wearing brown uniforms, approached the cemetery on foot from one direction, while a smaller group - possibly of the paramilitary Police Mobile Brigade (Brimob) - arrived in trucks from another direction.

As the soldiers approached, there was considerable tension; people in the cemetery began spontaneously to move away from them in fear. According to eyewitnesses, the foot soldiers marched to the entrance of the cemetery, formed a line about 12 men abreast, then opened fire on the crowd. No warning was given. Some soldiers reportedly fired into the air but others levelled their weapons at the crowd. The walls of the cemetery and the large number of people made it difficult to escape, but the shooting

continued even as people tried to flee. Some were believed to have been shot in the back while running away. The shooting stopped and resumed several times, suggesting that it was planned and deliberate, rather than a spontaneous reaction to provocation. An eyewitness said: "Looking down the road I saw body after body, and the soldiers kept firing at those who were still standing."

Estimates of the number killed vary widely. One eyewitnesses said that he saw "dozens and dozens" of bodies lying on the ground, but said that the shooting continued after he had left the area in a truck. Other sources have estimated the number of dead at between 50 and 180. An Indonesian military spokesman said initially that fewer than 100 had died, but on 14 November the government announced that "only 19" had been killed. Among those reported to have died of gun-shot wounds was a student from New Zealand, Kamal Bamadhaj. Witnesses said that officials of the International Committee for the Red Cross (ICRC) had taken him to hospital where he died of his wounds. Amnesty International has also learned the names of several others feared dead but it has been unable to clarify their fate. The military commander for East Timor told reporters on 14 November that the bodies of those killed had been buried immediately in unmarked graves in a deserted cemetery on the outskirts of Dili.

Dozens of people were said to have been beaten badly during the incident, among them two US journalists, Alan Nairn and Amy Goodman, who subsequently left the territory. Soldiers reportedly used their weapons to club people over the head and kicked them in the stomach with heavy military boots. Amy Goodman, who was beaten and kicked, described the soldiers' behaviour as "vicious" and unprovoked. She said that they screamed as they beat her: "Politics! Politics!". On 14 November the government acknowledged that 91 people had been injured. Independent sources said there were at least 89 people in hospital in Dili, suffering injuries from beatings or gunshot wounds. Unconfirmed reports said that as many as 14 people had died of their wounds in hospital.

Scores of people were believed to have been arrested in connection with the incident. Eyewitnesses said that the streets of Dili were deserted for much of the day, and that security forces were roaming the streets firing their weapons indiscriminately and carrying out arrests. Many of those arrested were believed to have been taken to the police headquarters in Dili (POLWIL), and a smaller number to the District Military Command (KODIM). There were fears that those detained might be at risk of ill-treatment or torture. One man who was released after questioning on 13 November said that 100 people were still held at the POLWIL and that many had been tortured or ill-treated in custody. The government has acknowledged the arrest of 42 people, while unofficial reports suggested that as many as 300 may have been detained.

The Government Response

Indonesian government and military authorities have formally expressed regret at the deaths at Santa Cruz and have promised to investigate the incident. However, in a series of public statements, beginning in the evening of 12 November, the authorities have appeared to try to justify the action of security forces, and to place responsibility for the massacre on opposition forces and the mourners themselves. Commenting on the incident, the Commander of Regional Military Command IX (KODAM IX/Udayana) which covers East Timor, said: "The authorities will never be in any doubt about taking tough action against abuse of our persuasive approach. The only order is: To kill or to be killed."

Government and military authorities have described the memorial procession as a "riot" of 2,000 to 3,000 people, and have claimed that the security forces fired their weapons when "the mob attacked them brutally". Military authorities also said that a number of guns, grenades, ammunition, banners and a Fretilin flag had been seized. One spokesman said that "security officers tried to disperse them in persuasive ways but they put up resistance and attacked the officers." On 14 November Armed Forces Commander, General Try Sutrisno, said: "We are a great nation which respects human rights. If there were victims in the Dili incident...it was because the security forces were forced to do so, not because of ignoring human rights". Apparently attempting to justify the killings, military authorities drew particular attention to the fact that one military officer, Major G. Lantara, a Deputy Battalion Commander, had been injured in the incident and was thought to have died. A military spokesman said: "You can imagine what the soldiers would do if they saw their commander die."

In the face of mounting evidence of military responsibility for the arbitrary killings, the official position began to change slightly, but the authorities continued to claim that the military action had been provoked by members of the procession. The Foreign Minister, Ali Alatas, who has worked hard to improve Indonesia's human rights image in recent years, expressed his regret at the loss of life. He stressed that the government had not ordered the massacre and did not condone it, but said that "the security forces had to take action." The military commander for East Timor, Brigadier General Warouw, suggested that the killings had been the result of "...a misunderstanding by the soldiers... they shot because of the tension."

An account provided by the Regional Military Commander for KODAM IX/Udayana was, in almost every respect, inconsistent with the body of independent evidence and eyewitness testimony. He claimed that the shooting began when security forces prevented the procession from going to see the UN Special Rapporteur on Torture at the Hotel Turismo, whereas all existing evidence indicates clearly that the killings

took place at Santa Cruz cemetery, after the procession had ended. The Commander also claimed that a pistol had been fired and a grenade thrown by members of the crowd; and that the soldiers had begun to fire in response, although an officer had shouted "Don't Shoot". Then, according to this version of events, "...the crowd advanced and gave the troops no option but to fire into the crowd." These claims were at odds with the testimony of eyewitnesses, cited above, who said that the soldiers fired on the crowd without warning and continued to fire even as people tried to flee.

On 14 November, the Minister for Home Affairs, retired Admiral Sudomo, reiterated the government's promise to "investigate the incident in line with existing regulations and laws and will bring the culprits to court." However, in view of the fact that the government had blamed opposition forces for provoking the incident, it was not clear whether members of the security forces would be brought to justice. Moreover, Sudomo clarified that the investigation would be conducted by a team set up by the Commander of the Armed Forces, thus giving rise to further doubts about the likelihood of a thorough and impartial investigation.

Background

The incident at the cemetery in Dili occurred in the context of heightened tension surrounding a planned visit to East Timor by a delegation of Portuguese parliamentarians. The visit was postponed shortly before the delegation was scheduled to arrive in early November, amid reports of widespread intimidation of East Timorese pro-independence activists by Indonesian security forces. Sebastiao (Gomes) Rangel was one of two people reportedly killed on 28 October 1991 when Indonesian security forces opened fire in the compound of Motael Church, also in Dili. Military officials claimed the victims had died during a fight between pro-independence activists and "passers-by". Witnesses claimed that the "passers-by were in fact military intelligence agents who had come to arrest the political activists. (See UA 357/91, ASA 21/18/91, 28 October 1991; and follow up ASA 21/19/91, 30 October 1991).

Indonesian forces invaded East Timor in 1975 in the aftermath of Portugal's withdrawal from its former colony. Since that time Amnesty International has continued to document serious human rights violations by Indonesian security forces in the territory, including extrajudicial executions, torture and ill-treatment, "disappearance" and political imprisonment.

At least 30 people, and possibly many more, were killed by Indonesian security forces in 1990 and early 1991 in apparent extrajudicial executions. A pattern of short-term detention, ill-treatment and torture of political detainees appears to have worsened

in the last year. More than 400 people have been detained in East Timor since late 1988 for their alleged involvement in pro-independence political activities; at least 200 of them since early 1990. Many may be or may have been prisoners of conscience and many have reportedly been ill-treated or tortured in custody. Forms of torture have included beatings with iron bars, batons and fists, burning with lighted cigarettes, slashing with razor blades and immersion for long periods in fetid water.

Serious limitations remain on the reporting of human rights violations in East Timor in spite of the "opening" of the territory to tourism and commerce in January 1989. Those suspected of disseminating human rights information in East Timor and in Indonesia are closely watched by the authorities and have a well-founded fear that they may themselves become victims. Telephone and postal communications are monitored; contacts with foreign journalists and tourists or with international organizations like the International Committee of the Red Cross (ICRC) are treated with suspicion and are sometimes the subject of investigation by the intelligence authorities. While some foreign visitors have been able to travel with apparent freedom in certain parts of the territory, most continue to be subjected to close surveillance by military and police intelligence. Finally, notwithstanding government assurances that access to the territory is unrestricted, and in spite of repeated requests, Amnesty International has not yet been permitted to visit East Timor or Indonesia.